IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 3378 of 2000

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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PRAVINBHAI DEVJIBHAI SARVAIYA - Petitioner(s)
Versus
LATHI NAGAR PALIKA THROUGH CHIEF OFFICER & 1 - Respondent(s)

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Appearance :
MR PH PATHAK for Petitioner(s) : 1,
MR PV HATHI for Respondent(s) : 1,
GOVERNMENT PLEADER for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 29/06/2007

ORAL JUDGMENT

The petitioner, instead of approaching the Labour Court through a Reference under the Industrial Disputes Act, 1947, has rushed to this Court seeking a mandamus against the respondent Lathi Municipality and Director of Municipality, that the petitioner be regularized prior to the date on which his juniors were regularized. Such juniors, who, according to the petitioner have been regularized before his regularization, have not been joined as parties. On this short count, the petition can be dismissed. But Shri Pathak submits that the petitioner be allowed to withdraw the writ application with liberty to

approach the competent Labour Court for redressal of his grievances. Shri Hathi, learned counsel for the respondent no.1 has no objection against the said prayer.

The petition is allowed to be withdrawn with the liberty aforesaid. Rule is discharged. No costs. Interim relief, if any, is vacated.

[R.S. GARG, J.]

pirzada/-